

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
CLOSED SESSION DOCKET  
FOR  
TUESDAY, FEBRUARY 3, 2004  
AT 9:00 A.M.**

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I. Conference with Legal Counsel – existing litigation, pursuant to California Government Code section 54956.9(a):

- a. *Gleason v. S.D. Employees' Retirement Systems and City of San Diego*  
San Diego Superior Court No. GIC 803779
- b. *City of San Diego v. DMIG*  
San Diego Superior Court No. GIC 77604-1
- c. *City of San Diego v. Gondor*  
San Diego Superior Court No. GIC 777605-1
- d. *City of San Diego v. Barratt/Lee Living Trust*  
San Diego Superior Court No. GIC 771354-1
- e. *Mark Bergen v. City of San Diego*  
San Diego Superior Court No. GIC 806228
- f. *Chargers Football Company, LLC v. City of San Diego*  
Los Angeles Superior Court No. BC 306 758

II. Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code section 54956.9(b):

- a. Number of cases: One

III. Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):

- a. Number of cases: Two

IV. Conference with Real Property Negotiator, pursuant to California Government Code section 54956.8:

- a.      Property:                      Qualcomm Stadium
- City Negotiator:           Assistant City Attorney Leslie J. Girard, Deputy City Manager Bruce Herring, Paul Jacobs, Esq., Daniel S. Barrett, and Robert J. Khell
- Negotiating Party:        City of San Diego and the San Diego Chargers
- Under Negotiation:       Real Property Interests at the Qualcomm Stadium site pursuant to the recommendations of the Citizens Task Force on Chargers Issues, and pursuant to the terms of Paragraph 31 of the 1995 Agreement for the Partial Use and Occupancy of Qualcomm Stadium.
- b.      Property:                      Approximately 5 acres located at Mercy Road at Allemania Road (portions of APN's 318-021-13, 318-021-14 and 318-021-16)
- City Negotiator:           William T. Griffith, Real Estate Assets Director
- Negotiating Party:        County Water Authority
- Under Negotiation:       Terms of Exclusive Sale
- c.      Property:                      An approximate 396-acre parcel owned by the City of San Diego commonly known as Mt. Woodson located north of and adjacent to the City of Poway (APN 278-211-01 and 278-081-05) and an approximate 19.6-acre parcel owned by the City of Poway commonly known as the Pomerado Wastewater Treatment Plant Site located in the City of San Diego (APN 316-231-04, 06, 14, 16, and 17)
- City Negotiator:           William T. Griffith, Real Estate Assets Director
- Negotiating Party:        City of Poway
- Under Negotiation:       Seeking direction on the exclusive exchange of these properties

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| d. | Property:  | Approximately 19,000 square foot parcel located at 13 <sup>th</sup> and Broadway (APN 435-205-08) |
|    | City Negotiator:   | William T. Griffith, Real Estate Assets Director  |
|    | Negotiating Party:   | San Diego Housing Commission  |
|    | Under Negotiation:   | Terms of option agreement for sale of property to San Diego Housing Commission                    |
| V. | Public employment, pursuant to California Government Code section 54957(b)(1): |   |
| a. | Title  | Acting City Auditor   |